

#43

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Application of:  
ELLEDGE, et al.

Serial No.: 09/122,384

Filing Date: July 24, 1998

For: RAPID SUBCLONING USING SITE-  
SPECIFIC RECOMBINATION

Group Art Unit: 1636

Examiner: Yucel, I.

Atty. Dkt. No.: BAY136/4-010CIP  
(formerly BCM-03434)

**CERTIFICATE OF FACSIMILE**

I certify that this correspondence is being transmitted by  
facsimile to the Patent and Trademark Office in  
accordance with 37 C.F.R. §1.6(d).

May 1, 2002

Date

Timothy S. Corder

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. §1.313(c)****FAX RECEIVED**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**MAY 01 2002**

Sir or Madam:

**PETITIONS OFFICE**

This petition is a request under 37 C.F.R. §1.313(c) to withdraw from issue the captioned application in order to expressly abandon the application to permit consideration of an information disclosure statement under 37 C.F.R. §1.97 in a continued examination. The requisite petition fee of \$130.00 in accordance with 37 C.F.R. §1.17(i) is attached hereto.

Applicant's representatives have now received art that was unknown to applicant prior to payment of the issue fee.

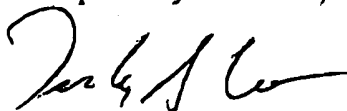
Applicant therefore requests withdrawal of issue of the captioned application in order to have this newly received art considered by the Examiner in a request for continued examination according to 37 C.F.R. 1.114.

Attached hereto is a request for continued examination according to 37 C.F.R. 1.114 and the requisite filing fee of \$740.00 according to 37 C.F.R. 1.17(e). The request includes an express abandonment of the parent application.

The present papers are filed by facsimile. The information disclosure statement and attached references are being filed under separate cover because the size of the information disclosure statement makes filing by facsimile impractical.

Favorable consideration of this petition and withdrawal of the captioned application from issue are respectfully requested.

Respectfully submitted,



Timothy S. Corder  
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Agent for Applicant

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Date: May 1, 2002

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## FACSIMILE TRANSMITTAL PAGE

DATE: May 1, 2002

TO: Karen Creasy FAX: 703 308 6916

COMPANY: USPTO PHONE:

PAGES: 6 (including this transmittal page) CLIENT/MATTER: BAY136/4-010CIP/36000

FROM: Timothy S. Corder

MESSAGE: Following are: Petition to Withdraw from Issue; Request for Continued Examination; 2 USPTO Credit Card Payment Forms in the amount of \$130.00 and \$740.00. A Supplemental IDS and references are being filed concurrently under separate cover.

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Hard Copy Follows: ☐ Yes ☒ No

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